IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

W.P. NO. 3616 (MS) OF 2001
(Old No. 17663/1992)

Jwala Dutt .....Petitioner.

Versus

The State of Uttar Pradesh and Others. .....Respondents.

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for quashing the order dated 20th April, 1992.

Briefly stated, by the order dated 20th April, 1992, the lease has been granted in favour of Sri Deen Dayal Joshi. It has been held that he is already in possession. The objections filed by the petitioners were rejected. The lease was granted after obtaining the report of the Collector dated 31st December, 1990.

Objections were also considered on 25th January, 1992 and the same was rejected and ultimately, the lease was granted in favour of the respondent no. 4.

I have perused the record of the writ petition, there is nothng on the record to suggest that the lease was granted in violation of any rules. Only ground has been mentioned in paragraph 11 of the writ petition that on account of the lease in favour of the respondent no. 4, the petitioner is feeling difficulty in approaching to his house. The counsel for the respondent no. 4 has field Counter Affidavit and paragraph 11 has been denied as frivolous and more over since the grant of the lease is a

matter between the Collector and the respondent no. 4 if the petitioner is aggrieved by the grant of the said lease, it will be open for the petitioner to approach the civil court for redressal of his grievances.

The counsel for the respondent no. 4 has submitted that he will make a proper arrangement of the approach road for the petitioner.

In view of the above, interim order is discharged. The writ petition is disposed of accordingly. No order as to costs.

02.11.2004 (RAJESH TANDON, J.)
P.S.R.